

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

COMPLAINT REGARDING INVENTION PROMOTER

Instructions: Read the reverse side of this form before completing and submitting the form. Complete as much of the form as possible and return it to the U.S. Patent and Trademark Office at the address given on the reverse side. Please type or write clearly.

Invention Promoter's Name: _____ Telephone # _____

Invention Promoter's Address: _____

City _____ State _____ Zip Code _____

Complainant's Name: _____ Telephone # _____

Complainant's Address: _____

City _____ State _____ Zip Code _____

Customer's Name: _____

WHAT IS YOUR COMPLAINT?

Please be as specific as possible. Specify the invention promotion services offered to be performed or performed, provide the name of the mass media in which the invention promoter advertised as providing such services, and explain the relationship between the customer and the invention promoter. If additional space is needed, the information may be provided on paper attached to this form.

Signed: _____ Date: _____

Burden Hour Statement: This collection of information is provided for by 35 U.S.C. § 297(d). The information regarding invention promoters will be released to the public. This form is estimated to take 15 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PRIVACY ACT STATEMENT

Section 297 of Title 35, United States Code, authorizes collection of this information. The primary use of this information is to make complaints publicly available. Additional disclosures will be made to (i) persons or entities identified in the complaint, and (ii) a Federal, State, or local law enforcement agency.

Furnishing the information on this form is voluntary, but failure to submit the information may prevent the communication from being a publicly available complaint.

Carefully read the following:

An "Invention Promoter" is defined in 35 U.S.C. § 297(c)(3) as "any person, firm, partnership, corporation, or other entity who offers to perform or performs invention promotion services for, or on behalf of, a customer, and who holds out itself through advertising in any mass media as providing such services, but does not include

- (A) any department or agency of the Federal Government or of a State or local government;
- (B) any nonprofit, charitable, scientific, or educational organization, qualified under applicable State law or described under section 170(b)(1)(A) of the Internal Revenue Code;
- (C) any person or entity involved in the evaluation to determine commercial potential of, or offering to license or sell, a utility patent or a previously filed nonprovisional utility patent application;
- (D) any party participating in a transaction involving the sale of the stock or assets of a business; or
- (E) any party who directly engages in the business of retail sales of products or the distribution of products."

"Invention Promotion Services" is defined in 35 U.S.C. § 297(c)(4) as "the procurement or attempted procurement for a customer of a firm, corporation, or other entity to develop and market products or services that include the invention of the customer."

"Customer" is defined in 35 U.S.C. § 297(c)(2) as "any individual who enters into a contract with an invention promoter for invention promotion services."

"Contract for invention promotion services" is defined in 35 U.S.C. § 297(c)(1) as "a contract by which an invention promoter undertakes invention promotion services for a customer."

Any individual completing and filing the complaint form should understand the following.

1. No action will be taken by the U.S. Patent and Trademark Office on behalf of the individual against the invention promoter based on the complaint. The U.S. Patent and Trademark Office has no authority to pursue a cause of action on behalf of any individual against an invention promoter or provide the individual with any personal remedy. If an individual believes that he or she has an actionable case, the individual should consult with an attorney about the possible legal options which may be available.
2. The complaint will be published.
3. The U.S. Patent and Trademark Office will provide the invention promoter with a reasonable opportunity to respond.
4. The response by the invention promoter will be published.

Submit your complaint form by mail to:

U. S. Patent and Trademark Office
Office of Independent Inventor Programs
Box 24
Washington, D.C. 20231